

BallardVale Historic District Commission

FOR OFFICE USE ONLY:

Case Number: _____

Date Filed: _____

Public Hearing Date: _____

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

BALLARDVALE HISTORIC DISTRICT

(Complete and sign both pages)

1. Name of Applicant: _____
Mailing Address: _____

Zip Code _____
Daytime Telephone: _____
Relationship of Applicant to Property: Owner () Architect () Contractor ()
Other (please specify): _____
2. Property Owner: _____
Mailing Address: _____

Zip Code _____
Year house constructed: _____
How long has person owned property? _____
3. Address and Legal Description of Property: _____
Location: _____ Tax Map _____ Lot Number _____
(Number) (Street Name)
Zoning District: _____
4. Nature of Proposed Work:

() New Construction	() Moving a building
() Demolition	() Sign
() Repairs	() Parking lot/parking area
() Alteration	() Other
() Terrace, walkway, driveway or similar work (not at grade level)	

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
BALLARDVALE HISTORIC DISTRICT (cont.)**

5. Please describe your proposed work as simply and accurately as possible. To help the Commission understand your application, include plans and elevations (drawn to scale), and/or photographs to show the architectural design of the structure and its relation to the existing building, if applicable. Please submit a plot and site plan if improvements involve landscape features such as walls and fences. (Use an extra sheet if necessary).

IMPORTANT: This form must be completed before the BallardVale Historic District Commission can consider the approval of any construction, alteration or demolition of buildings or structures within the Historic District. Nine (9) copies of this form, along with supporting documents, must be filed with the Inspector of Buildings in the Department of Community Development and Planning at the Town Offices, 36 Bartlet Street. One copy of any photographs is sufficient.

You or your representative must be present at the Commission's meeting. You will be notified of the time, date and location of the meeting.

Please review "Application Procedures" for information about the review process. If a public hearing is required for the project, the applicant shall be responsible for paying the advertising fee of \$70.00.

Date:_____ Signature of Applicant:_____

BallardVale Historic District Commission

APPLICATION PROCEDURES

1. **Filing of Application:** An application for a Certificate of Appropriateness may be obtained from the Inspector of Buildings in the Department of Community Development and Planning. Copies of the application are forwarded to the BallardVale Historic District Commission (BVHDC). Demolition permit applications shall also be reviewed by the Commission under the procedures of the BallardVale Historic District By-law.
2. **Review of Application:** When in receipt of an application received at least 7 days prior to the regularly scheduled meeting, (1st Wednesday of the month), Commission will hold a public meeting to determine whether the application involves any work that is within the jurisdiction of the By-law.
3. **Public Hearing:** If the project is subject to the requirements of the By-law, or if requested by the applicant, the Commission shall hold a public hearing. A public hearing notice shall be published in a local newspaper at least 14 days prior to scheduled meeting. A meeting notice shall be sent to the applicant, owners of all adjoining properties, the Andover Planning board, and to other persons the Commission wishes to send notice to. The applicant shall be responsible for paying the advertising fee of \$70.00, by check, made payable to the Town of Andover.
4. **Decision:** A decision shall be rendered within 60 days of filing the application. This time may only be extended upon written consent for the applicant. The Commission awards three types of Certificates: Certificate of Appropriateness, Certificate of Non-applicability, and Certificate of Hardship.
5. **Certificate of Appropriateness:** This Certificate shall be issued by the Commission if it is determined that the proposed work is appropriate for the or compatible with the preservation or protection of the Historic District.
6. **Disapproval of a Certificate of Appropriateness:** If the Commission disapproves an application, the reasons for the determination shall be issued to the applicant. The Commission may make recommendations to the applicant regarding the appropriateness of the design. Prior to the Commission's disapproval, the Commission may notify the applicant of acceptable changes to the project. If the applicant files a revised application to conform to the recommended changes of the Commission within 14 days of receiving notice, the Commission shall issue a Certificate.
7. **Certificate of Non-Applicability:** A Certificate of Non-Applicability shall be issued for a project which does not require Commission approval if requested by the applicant.

APPLICATION PROCEDURES (cont.)

- 8. Certificate of Hardship:** A Certificate of Hardship may be issued if the Commission determines that:
a) the conditions affecting the building or structure involved, but not to Historic District generally, would make failure to approve the application a substantial hardship, financial or otherwise, to the applicant, and b) approval would not involve substantial detriment to the public. A Certificate of Hardship shall also be issued if the Commission does not render a decision within within 60 days of filing an application.
- 9. Record Keeping:** All Certificates shall be dated and signed by the Commission and a permanent record of its determinations and votes shall be kept on file by the Inspector of Buildings. Copies of the Certificates and determinations of disapproval shall be kept on file with the Town Clerk's Office and with the Inspector of Buildings.
- 10. Review of Determination:** Any person aggrieved by a determination of the Commission may file a written request with the Commission for a review of the decision by a person or persons designated by the Merrimack Valley Planning Commission. The request for a review of the decision must be filed with the Commission within 20 days after the notice of determination has been filed with the Town Clerk. The findings of the review of the decision shall be filed in triplicate with the Town Clerk, Inspector of Buildings, and the BallardVale Historic District Commission within 45 days after the written request was filed. The findings shall be binding on the applicant and Commission unless a further appeal is filed with the Essex County Superior Court (see # 11 below).
- 11. Appeal:** Any person aggrieved by a determination of the Commission, or by a finding by the person or persons making a review of the determination, may file an appeal to the Essex County Superior Court. This appeal must be filed within 20 days after the filing of the notice of the determination or such finding with the Town Clerk.